



# San Diego City Attorney CASEY GWINN

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## MEDIA RELEASE

**FOR IMMEDIATE RELEASE: Thursday, May 17, 2001**

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### **VICTORY FOR SAN DIEGO CONSUMERS TODAY** **AS ON-LINE AUCTIONEER AND PEST CONTROL MANAGER ARE** **SENTENCED**

**San Diego, CA (May 17, 2001)** — A strong message from the San Diego City Attorney and the San Diego Superior Court today: If you commit fraud against San Diego consumers, you will face consequences. The defendants in two separate cases filed by the San Diego City Attorney's Consumer and Environmental Protection Unit were sentenced to time in custody.

In the first case, a San Diego man who promised to sell computer and electronic items over the Internet and did not deliver the goods was sentenced to 360 days in jail. In March, Manuchehr Kesheh Riazati was convicted by a San Diego jury of two counts of petty theft and two counts of violating California's law dealing with Internet sales. Today, San Diego Superior Court Judge Cynthia Bashant also ordered defendant to pay restitution to the victims who testified at trial.

The San Diego Police Department and eBay security personnel conducted the investigation against Riazati. They discovered that in the fall of 1999, bidders tried to purchase computer and electronic items from the defendant, operating on eBay under the user I.D. "manush2000." Investigators learned that the defendant contacted the high bidders and instructed them to send cashier's checks or money orders to an address in San Diego. He promised to ship the items upon receipt of payment. No items were delivered. The total loss to the victims was over \$2500.

In the second consumer and environmental protection case today, the manager of Country Fume, Inc., a Los Angeles based pest control company, was sentenced to 90 days in custody, and was ordered to pay fines



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and restitution to all San Diego consumers victimized by Country Fume. Epigmenio De La Torre, also known as Manuel De La Torre, pleaded guilty to twenty counts of violating California's Health and Safety, Business and Professions, Food and Agriculture, Vehicle, and Penal Codes. As a condition of probation, defendant was ordered not to engage in the business of pest control unless his license is reinstated by the Structural Pest Control Board.

An investigation by the County Department of Agriculture, working with the Structural Pest Control Board, California Attorney General, the California Department of Pesticide Regulation, and the California Highway Patrol, revealed that Country Fume charged consumers for termite eradication with Vikane, even though Country Fume did not use any fumigant. The investigation also revealed that when defendants did use fumigants, they did not allow sufficient time for ventilation. The defendants also improperly handled chemicals and failed to keep proper records.

The co-defendant in the case, Raymond De La Torre, the owner of Country Fume and the brother of Epigmenio, failed to appear in court this morning. San Diego Superior Court Commissioner Sandra L. Berry ordered a \$100,000 warrant for his arrest. The warrant will not be issued until tomorrow, May 18, 2001, to give him the chance to appear in court voluntarily.

If consumers have questions about the Country Fume case, they should contact Senior Inspector Rick Walsh, at the County Department of Agriculture, Weights and Measures, at (858) 694-2741.

"Defendants who commit acts of consumer fraud should realize that they will be caught and prosecuted," San Diego City Attorney Casey Gwinn said. "Our Consumer and Environmental Protection Unit is dedicated to



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protecting San Diego consumers. If you have a case to report, you can call our helpline at (619) 533-5600.”

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